

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2009-053747

08/03/2010

HONORABLE MICHAEL D. GORDON

CLERK OF THE COURT
M. MINKOW
Deputy

IN RE THE MATTER OF
JIMMY R LOPEZ

GENE R STRATFORD

AND

LAURA E BATTAGLIA

CHRISTOPHER RIKE

MINUTE ENTRY

Prior to the commencement of the hearing, Petitioner's exhibits 1, 2 through 17, and Respondent's exhibits 17 through 39 are marked for identification.

9:20 a.m. Courtroom 108. This is the time set for Trial to the Court Re: Petitioner's Petition for Paternity, Child Custody, Parenting Time and Child Support, filed November 2, 2009, and Petitioner's Petition for Enforcement of Order and for Contempt, filed March 10, 2010. Petitioner is present and represented by counsel, Gene Stratford. Respondent is present and represented by co-counsel, Christopher Rike and Jarnie Basham Carr.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Jimmy Lopez, Laura Battaglia, Wendy Ferreira, Alan Ferreira, Patricia Ferreira, Michelle Cappellini, Vance Guest, Christine Lorantz, Teresa Golay, Michelle Llewellyn, Hain Price, Richard Mentz, and Christina Wickham are sworn.

Rule of Exclusion of Witnesses is invoked.

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Argument is heard on Respondent's Motion In Limine.

IT IS ORDERED DENYING Respondent's motion without prejudice with leave to re-raise the issue regarding the exclusion of DVDs.

IT IS FURTHER ORDERED DENYING Respondent's motion without prejudice to exclude tapes. The issue of the tapes can be dealt with on a tape by tape basis.

IT IS FURTHER ORDERED DENYING without prejudice Respondent's motion to exclude the testimony of certain of Petitioner's witnesses. Absent good cause, Petitioner's witnesses' testimony will be limited to that testimony that falls within the scope of that disclosed during the depositions.

Jimmy Lopez testifies.

Petitioner's exhibits 8, 33 (same as Respondent's exhibit marked for identification), 1, 11 and 35 (same as Respondent's exhibit marked for identification).

10:15 a.m. Court stands at recess.

10:26 a.m. Court reconvenes with the parties and counsel present.

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Jimmy Lopez resumes the stand and testifies further.

Respondent's exhibit 44 is marked for identification.

Respondent's exhibit 2 is marked for identification.

Respondent's exhibit 2 is received in evidence.

10:49 a.m. Court stands at recess.

10:59 a.m. Court reconvenes with the parties and counsel present.

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Respondent's exhibit 45 is marked for identification.

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IT IS ORDERED that by 4:00 p.m. today, Petitioner's counsel shall fax to Respondent a brief outline of what he expects the testimony will be of Petitioner's remaining witnesses.

Petitioner having no objection to Respondent calling one of her witnesses out of order,

Hain Price testifies.

The witness is excused.

Petitioner having no objection to Respondent calling one of her witnesses out of order,

Vance Guest testifies.

Respondent's exhibit 44 is received in evidence.

Petitioner having no objection to Respondent calling one of her witnesses out of order,

Michelle Llewellyn testifies.

The witness is excused.

IT IS ORDERED sustaining Respondent's objection to the testimony of Petitioner's witness, Wendy Ferreira.

Patricia Ferreira testifies.

Because the remainder of Petitioner's witnesses will be testifying to events that occurred after February 11, Respondent will be calling one of her witnesses at this time.

Richard Mentz testifies.

12:00 p.m. Court stands at recess until 8:00 a.m. August 4, 2010.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.